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Attorney Docket # 2132-49PCON

MAY 12 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Janne LINKOLA

Serial No.: 09/915,009

Filed: July 25, 2001

For: Method and System for the Routing of Short Messages

Examiner: Rafael Perez-Gutierrez  
Group Art: 2686

I hereby certify that this correspondence is being via  
facsimile to the Commission for Patents, Facsimile No.  
1-703-872-9306, Attn: Examiner Rafael Perez-  
Gutierrez, Group Art Unit 2686, on  
May 12, 2004  
(Date of Deposit)

Lance J. Lieberman  
Name of applicant, applicant or Registered Representative

Signature

May 12, 2004  
Date of Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESUBMISSION OF PRELIMINARY AMENDMENT IN RESPONSE TO  
OFFICE ACTION OF MARCH 8, 2004**

SIR:

In the Office Action of March 8, 2004, applicant's claims to priority based upon applications filed in Finland on January 25, 1999 and January 20, 2000 were denied. In addition, rejections of claims in the application were made based at least in part on U.S. Published Patent Application No. 2003/00039930 A1 (Allison et al.).

On January 28, 2003, applicant's record representative filed in the U.S. Patent and Trademark Office, by fax (accompanied by a proper Certificate of Fax Correspondence), a Preliminary Amendment amending the specification to expressly state that this application "is a

continuation of PCT Application No. PCT/FI00/00046, filed on January 20, 2000, which claims priority from Finland Application No FI 990135, filed January 25, 1999."

It appears that the Preliminary Amendment filed in the U.S. Patent and Trademark Office by fax on January 28, 2003, however, was never entered into the file of this application. With applicant's priority claims properly recognized in this application, the Allison et al. publication is no longer appropriate prior art to this case.

In a telephone conversation with Examiner Rafael Perez-Gutierrez today, May 12, 2004, Mr. Perez-Gutierrez instructed applicant's undersigned representative to resubmit the Preliminary Amendment of January 28, 2003 in a "Response" to the Office Action of March 8, 2004 to assure that the Preliminary Amendment is properly entered in the file. Mr. Perez-Gutierrez further advised that, upon entry of the Preliminary Amendment, a new, non-final Office Action would issue in this application, and that no further response to the Office Action of March 8, 2004 will be necessary.

This Response to the Office Action of March 8, 2002, submitting another copy of the Preliminary Amendment that was originally filed in the U.S. Patent and Trademark Office on January 28, 2003, is accordingly being filed to assure entry of the Preliminary Amendment in the file of this application, and to thereby obtain proper recognition and acceptance of applicant's priority claims.

The kind assistance of Examiner Perez-Gutierrez in identifying the most expeditious way of proceeding under the current circumstances is sincerely appreciated.

Kindly telephone the undersigned in the event that there are any questions whatsoever, or in the event that any additional papers or explanatory information are deemed necessary.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE

By



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Dated: May 12, 2004



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From: Lance  
Pages: 6 (including this page)

Date: May 12, 2004  
Our File: 2132-49PCON

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Please deliver to:

<b>Recipient:</b> Rafael Perez-Gutierrez Group Art Unit 2686	<b>Company:</b> U.S. Patent and Trademark Office	<b>Fax No.:</b> 1-703-872-9306
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☐ Confirmation Will Follow

☒ Confirmation Will Not Follow

Notes/Comments:

Serial No. 09/915,009

Please deliver immediately to Examiner Rafael Perez-Gutierrez -- Group Art Unit 2686

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